

**Amendments to the Claims**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims**

1. (canceled)

2. (currently amended) A surgical instrument for providing an access opening to spinal column area, the surgical instrument comprising:

- a) a first wire and a second wire for locating an access opening site;
- b) an incremental opening arrangement having a plurality of nested

members, the plurality of nested members including at least:

- i) a dissector member slidably positionable over the first and second wires with the first and second wires being received within at least a portion of the dissector member, the first dissector member configured to provide an access opening at the access opening site;
- ii) a sleeve member slidably positionable over the dissector member, the sleeve member being sized and configured to expand the opening area of the access opening at the access opening site; wherein the sleeve member is a second sleeve member and the plurality of nested members further includes a third sleeve member and a fourth sleeve member, each of the nested members being configured to incrementally expand the opening area of the access opening at the access opening site.

3-4. (canceled)

5. (currently amended) The surgical instrument of claim [[4]] 2, wherein the second sleeve member includes a stop structure, the second sleeve member configured to slide in a first direction relative to the dissector member until the stop structure of the second sleeve member engages the dissector member.

6. (ORIGINAL) The surgical instrument of claim 5, wherein the stop structure of the second sleeve member is configured to interconnect the dissector member and the second

sleeve member when the dissector member is slid in a second direction opposite the first direction.

7. (ORIGINAL) The surgical instrument of claim 6, wherein the stop structure of the second sleeve member includes pins positioned to engage shoulders of the dissector member.

8. (ORIGINAL) The surgical instrument of claim 6, wherein the third sleeve member includes a stop structure, the third sleeve member being configured to slide in the first direction relative to the second sleeve member until the stop structure of the third sleeve member engages the second sleeve member.

9. (ORIGINAL) The surgical instrument of claim 5, wherein the stop structure of the third sleeve member is configured to interconnect the second sleeve member and the third sleeve member when the dissector member is slid in the second direction opposite the first direction.

10. (ORIGINAL) The surgical instrument of claim 6, wherein the stop structure of the third sleeve member includes pins positioned to engage notches of the second sleeve member.

11. (currently amended) The surgical instrument of claim [[4]] 2, wherein the dissector member, the second sleeve member, and the third sleeve member are slidably removable from the fourth sleeve member in a nested configuration.

12. (canceled)

13. (currently amended) ~~The surgical instrument of claim 12,~~ A surgical instrument for providing an access opening to a spinal column area, the surgical instrument comprising:

- a) a first wire and a second wire for locating an access opening site;
- b) an incremental opening arrangement having a plurality of nested members, the plurality of nested members including at least:

i) a dissector member slidably positionable over the first and second wires with the first and second wires being received within at least a portion of the dissector member, the first dissector member configured to provide an access opening at the access opening site;

ii) a sleeve member slidably positionable over the dissector member, the sleeve member being sized and configured to expand the opening area of the access opening at the access opening site, the sleeve member including an elongated aperture configured to provide access to the spinal column area, wherein the sleeve member is an outer portal member, the elongated aperture being sized to access first and second pedicle locations at the spinal column area, wherein the outer portal member includes first and second sleeve sections selectively positionable in a retracted position and a distended position, the distended position expanding the access opening at the spinal column area.

14. (ORIGINAL) The surgical instrument of claim 13, wherein each of the first and second sleeve sections of the outer portal member are coupled to a collar at a pivot location, the sleeve sections being configured to pivot outward from the retracted position to the distended position to expand the access opening at the spinal column area.

15. (ORIGINAL) The surgical instrument of claim 14, wherein the outer portal member further includes a clamp plate, the clamp plate being configured to forcibly contact the first and second sleeve sections to pivot the sleeve sections outward to the distended position.

16. (currently amended) A surgical instrument for accessing first and second pedicle locations of a spinal column, the surgical instrument comprising:

a) at least a first guide wire having a first end selectively positionable at one of the first and second pedicle locations;

b) a nested arrangement slidably positionable over the first guide wire, the nested arrangement including at least:

i) a blade member slidably positioned over the first wire with the first wire received within at least a portion of the blade member, the blade member including a blade end configured to provide an incisional opening, wherein the blade member

includes at least a first through hole extending along a first edge of the blade member, the first through hole being configured for receipt of the first guide wire; and

ii) an outer portal member configured to slide over the blade member for introduction into the incisional opening, the outer portal member having an elongated access aperture, the elongated aperture having a longitudinal dimension that corresponds to the distance between the first and second pedicle locations.

17. (ORIGINAL) The surgical instrument of claim 16, wherein the elongated aperture of the outer portal member simultaneously exposes the first and second pedicle locations of the spinal column.

18. (canceled)

19. (currently amended) The surgical instrument of claim [[18]] 16, wherein the surgical instrument includes a second guide wire, and wherein the blade member includes a second through hole extending along a second edge of the blade member, the second through hole being configured for receipt of the second guide wire.

20. (ORIGINAL) The surgical instrument of claim 16, wherein the nested arrangement further includes an inner portal member positionable within the elongated access aperture of the outer portal member, the inner portal member having an inner elongated aperture for introduction into the incisional opening, the inner elongated aperture being sized to incrementally expand of the incisional opening.

21. (ORIGINAL) The surgical instrument of claim 20, wherein the nested arrangement further includes an intermediate portal member positionable between the inner portal member and the outer portal member, the intermediate portal member having an intermediate elongated aperture for introduction into the incisional opening, the intermediate elongated aperture being sized to incrementally expand the incisional opening.

22-25. (canceled)